

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Joeffre Kolosky,

Case No.: 08-CV-346 PAM/JSM

Plaintiff,

v.

**DEFENDANT NORTHWESTERN
HEALTH SCIENCES
UNIVERSITY'S MOTION TO
DISMISS**

Woodwinds Hospital and
Northwestern Health Sciences University,

Defendants.

TO: PLAINTIFF JOEFFRE KOLOSKY, PRO SE, 2 River Terrace Court #101,
Minneapolis, Minnesota, 55414:

MOTION TO DISMISS

Pursuant to the Federal Rules of Civil Procedure, defendant Northwestern Health Sciences University moves to dismiss the plaintiff's Complaint because:

1. The Court lacks subject matter jurisdiction:
 - a. The amount in controversy between plaintiff and defendant Northwestern Health Sciences University is less than the sum or value specified by 28 U.S.C. § 1332, subd. a, exclusive of interest and costs;
 - b. Diversity of citizenship does not exist between plaintiff and defendant Northwestern Health Sciences University;

This motion is made pursuant to the Federal Rules of Civil Procedure and case law interpreting the same, and is made based upon all of the files, records and proceedings herein, the memorandum of law, supporting affidavit and exhibits, and, if necessary, the arguments of counsel.

Respectfully submitted,

Dated: February 27, 2008

/s/ Marshall S. Lichty

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